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Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 May 2002*.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle,* 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-99* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-99* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *08 June 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

Claim Objections

1.   Claims 24 and 88 are objected to because of the following informalities: claim 24 is

terminated by multiple period marks. Claim 88 recites, "at least one link to information is..." The

Examiner suggests replacing "is" with "in". Appropriate correction is required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or
> composition of matter, or any new and useful improvement thereof, may obtain a patent
> therefor, subject to the conditions and requirements of this title.

2.   Claims 38-40 are rejected under 35 U.S.C. 101 because the disclosed invention is

inoperative and therefore lacks utility. Claims 38-40 all recite a "persistent window". By

definition, a persistent window is one that cannot be covered, moved, or resized. Therefore,

applicant's claim to make a persistent window coverable or hide able is inconsistent with the

definition of such a window, and therefore renders the claimed invention inoperative. Applicant

is further directed to page 28 of their specification.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner
> and process of making and using it, in such full, clear, concise, and exact terms as to
> enable any person skilled in the art to which it pertains, or with which it is most nearly
> connected, to make and use the same and shall set forth the best mode contemplated
> by the inventor of carrying out his invention.

3.   Claims 38-40 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claims 38-40 all recite a "persistent window". By definition, a persistent window is one that cannot be covered, moved, or resized. Therefore, applicant's claim to make a persistent window coverable or hide able is inconsistent with the definition of such a window, and therefore renders the claimed invention inoperative. Applicant is further directed to page 28 of their specification.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5.   Claims 41-45, 47, 52, 71, 76, 77, 86-88, 91-94, and 97-99 are rejected under 35 U.S.C. 102(e) as being anticipated by Barrus et al (U.S. Patent 6,693,652), hereinafter Barrus.

6.   Regarding claim 41, Barrus teaches a user interface for specifying information of interest to be automatically tracked via instructions embedded within at least one graphically represented customizable ticket, taught as the use of a drag and drop method for specifying information in a multimedia message (col. 21, lines 28-33) to be automatically updated upon any modification to the message (col. 19, lines 12-14). Barrus further teaches at least one container

displayed on the display device, each container holding at least one of the graphically

represented customizable tickets, and displaying each ticket as an individual thumbnail within

one of the containers, taught as the multimedia messaging windows for storing thumbnails

representative of multimedia messages, at Fig. 11 and col. 21, lines 20-28. Automatically

tracking the information of interest via at least one communications access point in accordance

with the instructions embedded within each graphically represented customizable ticket and

dynamically providing the automatically tracked information of interest within each thumbnail are

taught as the pushing of message changes to interested clients by a messaging server, at col.

27, lines 13-16.

7.   Regarding claim 42, Barrus provides a definition of the information of interest, taught as

the creation of messaging objects for providing attributes pertaining to the information, at col.

19, lines 46-51. Barrus further teaches defining how the information of interest is to be tracked

and is to be displayed, taught as the use of fields providing data for display and for changing

data upon an update, at col. 19, lines 60-62.

8.   Regarding claim 43, the system of Barrus automatically transfers each customizable

ticket to a user computing device via a communications interface, taught as the transfer of

information from a web page to a multimedia messaging container by way of a drag and drop

method, at col. 21, lines 33-38.

9.   Regarding claim 44, Barrus shows automatically transferring the customizable ticket to

the user computing device comprises sending the customizable ticket to the user computing

device as an email attachment, taught as the attaching of a media object to an e-mail message,

at cols. 1-2, lines 61-67 and 1-2.

10.   Regarding claim 45, Barrus teaches using the user interface for dragging an iconized

representation of the customizable ticket from a remote web page and dropping the iconized

representation of the customizable ticket into one of the containers on the display device, taught

as the transfer of information from a web page to a multimedia messaging container by way of a

drag and drop method, at col. 21, lines 33-38.

11.   Regarding claim 47, Barrus allows for each customizable ticket to be sharable between

at least two users, taught as a server accepting changes to a multimedia message and updating

any interested parties of the changes, at col. 27, lines 14-16.

12.   Regarding claim 52, at least two of the containers are nested together via the user

interface to form at least one recursively nested group of containers, taught as the nesting of

new message windows into existing messages, at col. 25, lines 21-26.

13.   Regarding claim 71, Barrus shows the selection of each thumbnail via the user interface,

taught as the selection of an object thumbnail for display of its original content, at col. 26, lines

19-22.

14.   Regarding claim 76, Barrus teaches the appearance of each thumbnail automatically

changed over time to indicate a relative age of the information, as the caching of multimedia

message objects upon the creation, saving, image selection, or generation of a multimedia message object, at col. 20, lines 10-14.

15.   Regarding claim 77, Barrus teaches the constant tracking and updating of information of interest. As such, it is inherent that interruptions in access to the information will take place, but the information updates of Barrus will continue when necessary, as taught *supra*.

16.   Regarding claim 86, Barrus teaches using a user interface to place at least one link to information into at least one container and automatically creating the at least one user accessible dynamic object in response to placing the at least one link to information into the at least one container, taught as the transfer of web information through drag and drop techniques, and the subsequent thumbnail generation to represent the dynamically updated information, at col. 21, lines 28-37. Barrus further shows dynamically tracking the information in response to instructions included in the automatically created dynamic object and dynamically displaying the dynamically tracked information within the container on the display device, taught as the use of a dynamic updating module for controlling thumbnails upon modification to the information represented by the thumbnails, at col. 19, lines 9-18.

17.   Regarding claims 87 and 88, Barrus has been shown *supra* to allow for the creating of links to information, such as Internet web pages, through the use of drag and drop techniques.

18.   Regarding claim 91, Barrus has been shown *supra* to teach nesting multiple dynamic objects into one message, or group of objects.

19.   Regarding claim 92, Barrus shows each group represented by an individual icon, taught as the thumbnail image representing a larger message having a plurality of elements, at col. 26, lines 17-19.

20.   Regarding claim 93, Barrus allows for the transfer of dynamic objects to remote users, taught as message transfer by way of communications tools such as email, at col. 11, lines 22-31.

21.   Regarding claim 94, Barrus allows for each customizable ticket to be sharable between at least two users, taught as a server accepting changes to a multimedia message and updating any interested parties of the changes, at col. 27, lines 14-16.

22.   Regarding claim 97, Barrus shows automatically caching dynamically tracked information, taught as the use of a media object cache for storing media objects used by the multimedia messaging system, at col. 19, lines 34-36.

23.   Regarding claim 98, Barrus teaches displaying cached information when further information tracking is no longer possible, taught as the taking of images or information off of a hard disk and displaying the cached image representative of the information, at col. 20, lines 17-24.

24.   Regarding claim 99, Barrus teaches an appearance of dynamically displayed tracked information automatically changed over time to indicate a relative age of the information, as the

caching of multimedia message objects upon the creation, saving, image selection, or

generation of a multimedia message object, at col. 20, lines 10-14.

Claim Rejections - 35 USC § 103

25.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or
> described as set forth in section 102 of this title, if the differences between the subject
> matter sought to be patented and the prior art are such that the subject matter as a
> whole would have been obvious at the time the invention was made to a person having
> ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

26.   Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki et

al (U.S. Publication 2002/0161837), hereinafter Sasaki, and Trueblood (U.S. Patent 6,031,530).

27.   Regarding claim 1, Sasaki teaches providing a user interface for specifying an entity (the

status selection methods of ¶ 0021), accepting contact availability data representing at least one

contact method for each entity from at least one electronic information source (the status

reflecting a user's availability on a chat service, at ¶ 0011), dynamically determining a real-time

availability status of each entity for each contact method (using a detection part of a user

terminal, ¶ 0011), and graphically representing the real-time availability status of each entity via

the user interface (representing the user's status with a symbol or icon, ¶ 0027).

    Sasaki fails to explicitly teach representing the real-time availability status of each entity

in a persistent window.

    Trueblood teaches a method for always-visible windows that can be used to display

information similar to the windows of Sasaki used to display entity status information, at col. 1,

lines 8-11.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Sasaki and Trueblood before him at the time of the invention to modify the entity status window of Sasaki to incorporate the always-visible state of Trueblood to obtain a window for viewing information that is not coverable by other application windows.

One would be motivated to make such a combination for the advantage of allowing a user to always have selected information visible on the display screen. See Trueblood, col. 2, lines 51-58.

28.   Regarding claim 2, Sasaki teaches the automatic specification of at least one entity, taught as the use of a chat support device to send and receive the status of users sharing a virtual space, at ¶ 0007.

29.   Regarding claim 3, Sasaki shows graphically representing the real-time availability of each entity comprises displaying a graphical representation of each entity using a dynamic thumbnail, as can be seen in Figs. 8 and 11.

30.   Regarding claim 4, Sasaki allows for using a graphical representation of eye contact for each entity to provide a social cue for indicating whether each entity is available, shown as faces staring at the user in Fig. 11.

31.   Regarding claim 5, it can be seen in Fig. 8 that Sasaki teaches at least one container within which the graphical representation of the real-time availability status of each entity is provided by using a dynamic thumbnail, shown as a section of the window displaying user statuses.

32. Regarding claims 6 and 7, Sasaki teaches at least one thumbnail for representing information other than contact availability status for an entity, shown as the icon files of Fig. 10 for representing each user's understanding of a topic being taught, and is available through the chat support device of ¶ 0007.

33. Regarding claims 8-10, Sasaki teaches pulling contact availability data from at least one of the electronic data sources and receiving contact availability data that is pushed from at least one of the electronic data sources, taught as "pulling" contact information by receiving requested status tables of a certain channel, at ¶ 0070, and receiving "pushed" information automatically from a chat support device when a user enters or leaves a virtual space, at ¶ 0010 and 0011.

34. Claims 11, 12, 16, 22, 25, 27-30, 36, 37, 48-50, 63-66, 68-70, and 83-85 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki, Trueblood, and Barrus.

35. Regarding claim 11, Sasaki and Trueblood have been shown to teach graphically representing the real-time availability of each entity comprises displaying a graphical representation of each entity using a dynamic thumbnail.

Sasaki and Trueblood fail to teach a ticket defining an entity, and a viewer for displaying the ticket.

Barrus teaches a multimedia messaging system for carrying dynamically updated information similar to the information of Sasaki. Furthermore, Barrus teaches a ticket defining an entity, taught as a user's selection of a multimedia object for display, at col. 26, lines 19-22,

and a viewer for displaying the ticket, taught as a series of tests to determine the manner of display best suited for the content, at col. 26, lines 22-26.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Sasaki, Trueblood, and Barrus before him at the time the invention was made to modify the dynamic thumbnails of Sasaki and Trueblood to include the multimedia objects and their viewers of Barrus in order to obtain a real-time availability tracker where entities are defined and displayed separately.

One would have been motivated to make such a combination for the advantage of content portability to several display methods. See Barrus, col. 26, lines 10-14 and 22-26.

36.   Regarding claim 12, Barrus allows for each customizable ticket thumbnail to be sharable, taught as a server accepting changes to a multimedia message and updating any interested parties of the changes, at col. 27, lines 14-16.

37.   Regarding claim 16, Barrus provides for user interaction with each thumbnail through mouse clicks, at col. 11, lines 35-43, similar to the claimed manager for providing user interaction with each thumbnail.

38.   Regarding claims 22 and 66, Barrus provides more detailed information upon the selection of a thumbnail through mouse clicks enabling a full text view of a thumbnail, at col. 11, lines 35-43. Sasaki teaches the display of a person window for tracking the availability of and chatting with contacts, at Fig. 8 and page 4, ¶ 0079.

39.   Regarding claim 25, Sasaki teaches the display of a historical availability of a contact by displaying the last known status for a contact and saving the status in a status table for display when the user participates in another session of the same channel, at page 4, ¶ 0066.

40.   Regarding claim 27, Barrus teaches a sharable ticket between a first user and at least one additional user by sending each sharable ticket as an email attachment, taught as the attaching of a media object to an e-mail message, at cols. 1-2, lines 61-67 and 1-2.

41.   Regarding claim 28 and 37, Barrus shows dragging and dropping at least one ticket from a remote web site to at least one user display device, taught as dragging and dropping an image off of a web page and into a multimedia message window, at cols. 20 and 21, lines 35-42 and 13-17.

42.   Regarding claim 29, Barrus teaches a network accessible database of tickets for allowing a user to access the tickets via a network accessible device, taught as the transfer of a multimedia message thumbnail from a database, at col. 20, lines 4-7.

43.   Regarding claim 30, Barrus teaches creating tickets via a user interface, taught as the automatic generation of an object thumbnail upon the completion of the drag-and-drop method, at col. 21, lines 28-38, and has been shown to teach adding messages to existing multimedia messages to create a nesting effect.

44.   Regarding claim 36, Barrus teaches the automatic creation of at least one ticket, taught

as the use of an automatic object creation module for receiving and translating information of

interest, at col. 18, lines 10-19.

45.   Regarding claims 48 and 49, Barrus has been shown *supra* to teach the storing of

ticket/viewer pair thumbnails in containers on a display. However, Barrus fails to explicitly teach

the resizing of a container via the user interface, and resizing the container so that any

thumbnails hosted in the container are automatically resized after resizing the container. The

resizing of windows is very well known in the art. Furthermore, it is well known in the art that the

resizing of windows can also serve to resize the contents within them. For example, the

resizing of many multimedia video player windows, such as the Winamp media player, also

resizes the media accordingly. Furthermore, many text and image editors exist that allow for

the resizing of the text and images within them by simply resizing the container they are

displayed in. The Examiner takes OFFICIAL NOTICE of these teachings. Therefore, it would

have been obvious to one of ordinary skill in the art to combine the multimedia messaging

system of Barrus with these well known teachings to obtain a messaging system wherein the

media within the message is automatically resized when the window is resized. One would be

motivated to make such a combination for the advantage of quick and easy and sizing of a

window and its contents.

46.   Regarding claim 50, the resizing of a thumbnail in response to resizing a container

includes the inherent redrawn and thusly updated thumbnail in the container, with the

thumbnails being composed of information of interest, as presented by Barrus and Sasaki.

47.   Regarding claim 63, Sasaki has been shown *supra* to teach thumbnails representative of communications contacts.

48.   Regarding claims 64 and 65, Sasaki has been shown *supra* to teach a chat support device for delivering real-time contact status information to a user, represented as a thumbnail.

49.   Regarding claim 68, Sasaki teaches the display of a historical availability of a contact by displaying the last known status for a contact and saving the status in a status table for display when the user participates in another session of the same channel, at page 4, ¶ 0066.

50.   Regarding claims 69 and 70, the chat window of Fig. 7 gives a historical log of communications between a user and a contact, and displays all previous chat items, not just the most recent. See ¶ 0078.

51.   Regarding claims 83-85, Barrus has been shown *supra* to teach the storing of ticket/viewer pair thumbnails in containers on a display. However, Barrus fails to explicitly teach the automatic or manual arrangement of thumbnails within the container. It is well known in the art that container windows on a user interface may allow for the manual or automatic arrangement of data items such as icons inside of the window. For example, the Microsoft Windows and Apple OS operating systems have notoriously supported both arrangement features. It is also well known that in such windows the position of an icon may remain in a fixed location if other icons in the window are moved, and do not change location until some user action initiates the change. The Examiner takes OFFICIAL NOTICE of these teachings. Therefore, it would have been obvious to one of ordinary skill in the art to modify the containers

of Barrus to include manual and automatic arrangement abilities. One would be motivated to

make such a combination for the advantage of user facilitation through manual customization or

a quick automatic arrangement.

52.   Claims 13-15 and 54-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Sasaki, Barrus, and Barker et al (U.S. Patent 5,129,052), hereinafter Barker.

53.   Regarding claims 13 and 54, Barrus shows the aggregation of at least two ticket

thumbnails into at least one group accessible via the user interface, taught as the addition of

supplemental electronic documents and audio clips into a multimedia message, at col. 12, lines

42-44.

        Sasaki and Barrus fail to explicitly teach the aggregation of groups into any number of

levels of recursively nested groups, or the recursive expansion of such groups.

        Barker teaches a technique for the dynamic selection of logical element data formats

based upon logical element characteristics which are established as a document is created or

modified, (at col. 1, lines 18-21), similar to the ticket/viewer pairs taught by Barrus. Barker

further teaches the recursive nesting of elements, such as the groups of Barrus, taught at col. 3,

lines 41-54. Barker also teaches the recursive expansion of recursively nested groups, taught

as the restoration of a parent-child relationship to the next higher level of the iterative loop, at

col. 3, lines 55-57.

        Therefore, it would have been obvious to one of ordinary skill in the art, having the

teachings of Barrus and Barker before him at the time of the invention to modify the nested

groups of Barrus to include the recursive nesting Barker to obtain a system of aggregating

nested groups of tickets into recursively nested groups.

One would be motivated to make such a combination for the advantage of allowing

multiple relationships to occur between two logical elements. See Barker, col. 2, lines 12-16.

54.   Regarding claims 14 and 55, Barrus teaches the display of a group as a group thumbnail

within a container, taught as the thumbnail image representing a plurality of elements, at col. 25,

lines 26-31.

55.   Regarding claims 15 and 57, Barrus the display of a summary within the thumbnail of the

information represented by the tickets comprising the group, taught as the thumbnail

representation of many objects in a particular multimedia message, at col. 25, lines 26-31.

56.   Regarding claim 56, Barker teaches the recursive expansion of recursively nested

groups, taught as the restoration of a parent-child relationship to the next higher level of the

iterative loop, at col. 3, lines 55-57.

57.   Claims 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki

and Brown (U.S. Patent 6,259,461).

Regarding claim 17, Sasaki has been shown *supra* to teach the display of dynamic

thumbnails.

Sasaki fails to explicitly teach including with each ticket a visibility flag, where particular

thumbnails are only displayed when the visibility flag is set.

Brown teaches a system related to the display of objects in a computer graphics system

(col. 1, lines 7-10), similar to the objects displayed by Sasaki. Furthermore, Brown teaches the

setting of a visibility flag to determine whether or not an object is displayed on screen, similar to applicant's claimed visibility flag for particular thumbnails, at col. 9-10, lines 58-67 and 1-7.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Sasaki and Brown before him at the time the invention was made to modify the dynamic thumbnails of Sasaki to include the visibility flags of Brown in order to obtain a system for selectively displaying dynamically updated information.

One would be motivated to make such a combination for the advantage of selectively displaying information on a screen and improve the graphic performance of a system. See Brown, col. 3, lines 2-6.

58.   Regarding claim 18, the method of Brown sets the visibility flag for an object automatically, at col. 3, lines 43-47.

59.   Regarding claim 19, Brown allows for the manual setting of a visibility flag via the user interface, taught as the setting of the flag through the application program, at col. 6, lines 42-45.

60.   Claims 58-60, 95 and 96 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barrus and Brown.

61.   Regarding claim 58 and 95, Barrus has been shown *supra* to teach the display of dynamic thumbnails, at col. 26, lines 19-22.

Barrus fails to explicitly teach including with each ticket a visibility flag, where particular thumbnails are only displayed when the visibility flag is set.

Brown teaches a system related to the display of objects in a computer graphics system (col. 1, lines 7-10), similar to the objects displayed by Barrus. Furthermore, Brown teaches the

setting of a visibility flag to determine whether or not an object is displayed on screen, similar to applicant's claimed visibility flag for particular thumbnails, at col. 9-10, lines 58-67 and 1-7.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Barrus and Brown before him at the time the invention was made to modify the dynamic thumbnails of Sasaki to include the visibility flags of Brown in order to obtain a system for selectively displaying dynamically updated information.

One would be motivated to make such a combination for the advantage of selectively displaying information on a screen and improve the graphic performance of a system. See Brown, col. 3, lines 2-6.

62.   Regarding claim 96, Barrus and Brown fail to explicitly teach the use of a timed visibility switch. However, timed windows are well known in the art, used frequently in scheduling programs such as Microsoft Outlook and Lotus notes. These applications present windows to the user at specified times to provide relevant and important information. The Examiner takes OFFICIAL NOTICE of these teachings. Therefore, it would have been obvious to one of ordinary skill in the art to combine the multimedia messaging windows with a visibility flag of Barrus and Brown to include timed windows in order to obtain a messaging system that presents time-specific information to a user. One would be motivated to make such a combination in order to provide timely information such as scheduling reminders to a user.

63.   Regarding claim 59, the method of Brown sets the visibility flag for an object automatically, at col. 3, lines 43-47.

64. Regarding claim 60, Brown allows for the manual setting of a visibility flag via the user interface, taught as the setting of the flag through the application program, at col. 6, lines 42-45.

65. Claims 20, 21, 61, 62, 78, and 79 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki, Barrus, and the applicant's submitted InfoGate reference (Reference 3), hereinafter InfoGate.

66. Regarding 20, 61, and 79, Sasaki and Barrus teach the display of dynamic thumbnails representative of information of interest to a user.

Sasaki and Barrus fail to explicitly teach the display of timed thumbnails, wherein the thumbnails are displayed at predetermined times.

InfoGate teaches a customizable toolbar used to dynamically deliver selected information to the desktop of a user, similar to the multimedia messages of Barrus. InfoGate also teaches displaying timed thumbnails, wherein the thumbnails are displayed at predetermined times, taught as the use of alerts for bringing up to the moment information to the desktop toolbar as scheduled by the user, in the form of a predetermined price of stock quotes, at page 4.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Sasaki, Barrus and InfoGate before him at the time of the invention to combine the multimedia messages of Sasaki and Barrus with the ability to display timed information of InfoGate, to obtain a dynamically updated messaging system wherein information may be displayed to a user at a specified time.

One would be motivated to make such a combination for the advantage of enhancing user customizability by allowing a user to specify thumbnail alerts. Motivation for such a

combination is given by InfoGate, who teach a highly personalized desktop ticker at page 1 of the reference.

67.   Regarding claims 21 and 62, InfoGate teaches the termination of thumbnails at predetermined times, such as when an alert has been responded to and is not forwarded to other media devices, at page 8 of the reference.

68.   Regarding claim 78, InfoGate teaches the creation of personalized tickers, which contain tickets for viewing information of interest, at page 1 of the reference.

69.   Claims 23, 24, and 67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki, Barrus, and "The Notification Collage: Posting Information to Public and Personal Displays", by S. Greenberg and M. Rounding (applicant's reference 10), hereinafter Greenberg.

70.   Regarding claim 23, Sasaki and Barrus teach the display of dynamic thumbnails representative of information of interest to a user. Sasaki has been shown to teach the display of a person window for tracking the availability of and chatting with contacts.

Sasaki and Barrus fail to teach including a list of actionable communication access points for the entity represented by the thumbnail.

Greenberg teaches a Notification Collage for keeping track of information of interest. Greenberg further teaches the use of a pop-up menu for interacting with other users through addresses accessed through the menu, at page 4, col. 1.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Sasaki, Barrus, and Greenberg before him at the time the invention was made to modify the person window of Sasaki and Barrus to include the contact addresses of Greenberg

to obtain a multimedia messaging system where user contacts may be interacted with through the use of a pop-up interface.

One would be motivated to make such a combination for the advantage of quickly accessing contact information about a user of interest. See Greenberg, page 4.

71.   Regarding claim 24, Greenberg teaches identifying a best available communication access point for a contact, taught as presenting custom interactions for specific media elements that a user can respond to, at page 4, col. 1.

72.   Regarding claim 67, Greenberg has been shown *supra* to list actionable communication access points for a contact represented as a thumbnail. Greenberg also teaches initiating communication with a contact via one or more of the actionable communication access points, taught as responding to an email or message post through an actionable menu, at page 4, col. 1.

73.   Claims 26, 73-75, and 80-82 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barrus, Sasaki, Greenberg, and *Snippets Product Overview* (applicant's submitted reference 1), hereinafter Snippets.

Regarding claim 26, Barrus, Sasaki, and Greenberg have been shown to teach a person window including a list of actionable communication access points for the entity represented by the thumbnail.

Barrus, Sasaki, and Greenberg fail to explicitly teach the inclusion of a calendar schedule for the entity represented by a thumbnail.

Snippets teaches a display of dynamically updated information on the desktop of a user,

similar to the dynamic information displays of Barrus and Sasaki. Furthermore, Snippets

teaches the inclusion of a calendar or schedule for an entity, taught on pages 1 and 4 of the

reference.

Therefore, it would have been obvious to one of ordinary skill in the art, having the

teachings of Barrus, Sasaki, Greenberg, and Snippets before him at the time the invention was

made to modify the person window including a list of actionable communication access points

for the entity represented by the thumbnail of Barrus, Sasaki, and Greenberg to include the

calendar view of Snippets to obtain a dynamically updated multimedia messaging system

wherein one of the dynamic objects is a calendar.

One would be motivated to make such a combination for the advantage of viewing an

updated calendar for an entity faster and easier than in previous methods. See Snippets, page

1, paragraph entitled "The Snippets Solution".

74.   Regarding claim 73, and with respect to the motivation to combine Snippets and Barrus

of claim 26, Snippets teaches automatically providing visible alerts to a user to notify the user of

changes to information of interest, shown as visible "automatic new content alerts" on page 1 of

the reference.

75.   Regarding claims 74 and 75, while Snippets provides for visible alerts to notify a user of

changes in information of interest, the reference fails to explicitly teach the use of audible alerts,

or a combination of audible and visible alerts. However, audible alerts and a combination of

audible and visible alerts are notoriously well known in the art, such as message notification in

AOL Instant Messenger, or e-mail notification in Microsoft Outlook. Therefore, it would have

been obvious to one of ordinary skill in the art to include audible alerts into the content alerts of

Snippets. One would be motivated to make such a combination for the advantage of alerting a

user of an update to information of interest in the most user-recognizable way.

76.   Regarding claims 80-82, Snippets teaches on page 1 of the reference a "Snippet" for

monitoring contents of an email folder and graphically representing the contents of the folder

(i.e. the number of new messages in the folder). Snippets further teaches the ability to click on

a thumbnail and open a larger window with more data, which in this case would present the

watched email folder.

77.   Claims 31-35 and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Barrus.

78.   Regarding claims 31-35, Barrus has been shown *supra* to teach the storing of

ticket/viewer pair thumbnails in containers on a display. Barrus fails to explicitly teach the use of

such containers wherein the container is resizable, wherein the container is automatically

resized, wherein the container is resized via the user interface, and wherein the dynamic

thumbnails within the container are automatically resized as the container is resized. The use of

a mouse pointer to resize windows through click and drag methods are well known in the art, as

well as automatic resizing techniques, such as window minimization or maximization, in multiple

applications and operating systems. Futhermore, it is well known in the art that the resizing of

windows can also serve to resize the contents within them. For example, the resizing of many

multimedia video player windows, such as the Winamp media player, also resizes the media

accordingly. Furthermore, many text and image editors exist that allow for the resizing of the

text and images within them by simply resizing the container they are displayed in. The

Examiner takes OFFICIAL NOTICE of these teachings. Therefore, it would have been obvious to one of ordinary skill in the art to combine the multimedia messaging system of Barrus with these well known teachings to obtain a messaging system wherein the windows storing media and the media within a message are automatically resized when the window is resized. One would be motivated to make such a combination for the advantage of quick and easy and sizing of a window and its contents.

79.   Regarding claim 53, Barrus has been shown *supra* to create customizable tickets for the display of dynamically tracked information. Barrus fails to explicitly teach the creation of such tickets by way of a wizard. Creation wizards are extremely well known in the art, with products such as WinZip's decompression wizards and Microsoft Word or Excel's document creation wizards. The Examiner takes OFFICIAL NOTICE of these teachings. Therefore, it would have been obvious to one of ordinary skill in the art to modify the customizable ticket creation process of Barrus to include a creation wizard. One would be motivated to make such a combination for the advantage of the ease of use associated with such wizards.

80.   Claim 46 is rejected under 35 U.S.C. 103(a) as being unpatentable over Barrus and Raz et al (U.S. Patent 6,311,221), hereinafter Raz.

81.   Barrus *supra* allows for creating at least one ticket having a definition of information to be tracked and how the tracked information is to be displayed (taught as the dynamically updateable ticket/viewer pairs for multimedia messages), automatically transferring at least one ticket to a user computing device, automatically tracking the information defined by each ticket from the user computing device via a communications interface, dynamically retrieving the

tracked information, and providing the retrieved information to the user (all shown *supra* as the use of a messaging server for wide-spread messaging updates).

Barrus fails to explicitly teach the reporting of ticket use statistics to a remote server for providing a ticket subscription service wherein subscribers are charged a fee for user use of tickets.

Raz teaches the use of streaming modules for constantly updating data objects similar to the dynamically updated multimedia messages of Barrus. Raz also teaches reporting of ticket use statistics to a remote server, as the sending of program execution statistics to a server, at cols. 5-6, lines 67, 1-6. Furthermore, providing subscription services for the access of data are well known in the art, as many web sites offer paying customers access to downloadable files for monthy or yearly fees. The Examiner takes OFFICIAL NOTICE of these teachings.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Barrus and Raz before him at the time of the invention to modify the multimedia messaging system of Barrus to include the reporting of program execution statistics of Raz to obtain a system wherein dynamically updated information use statistics are recorded onto a remote server, and used to conduct a subscription service.

One would be motivated to make such a combination for the advantage of further monitoring and controlling the information of interest, and gaining capital returns on the service provided. See Raz, col. 5, lines 62-67.

82.   Claim 51 is rejected under 35 U.S.C. 103(a) as being unpatentable over Barrus and MacLean et al (U.S. Patent 5,819,055), hereinafter MacLean.

83.   Barrus *supra* teaches the use of containers for displaying dynamically updated thumbnails of information to a user.

Barrus fails to explicitly teach containers as being movable via the user interface, and wherein any containers which come into contact are automatically snapped together to form a single container.

MacLean teaches a method for docking interface boxes similar to the containers used by Barrus. Furthermore, MacLean shows containers as being movable via the user interface (shown as the ability to drag a window around the display, at col. 13, lines 1-3), and wherein any containers which come into contact are automatically snapped together to form a single container (shown as the docking of selected windows, at col. 7, lines 8-21).

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Barrus and MacLean before him at the time of the invention to modify the thumbnail containers of Barrus to include the docking ability of MacLean in order to obtain a multimedia messaging system wherein multiple windows may be attached by way of a user interface.

One would be motivated to make such a combination for the advantage of conserving display space. See MacLean, col. 7, lines 21-23.

84.   Claim 72 is rejected under 35 U.S.C. 103(a) as being unpatentable over Barrus and Angiulo et al (U.S. Publication 2002/0135621), hereinafter Angiulo.

85.   Barrus has been shown *supra* to teach the generation of object thumbnails representing information of interest to a user.

Barrus fails to explicitly teach providing an actionable tooltip window in response to the selection of a thumbnail.

Angiulo teaches an auto thumbnail gallery for use with thumbnail images similar to these employed by Barrus. Angiulo further teaches providing an actionable tooltip window in

response to the selection of a thumbnail, taught as the presentation of a thumbnail editor dialog

box to the user after the selection of a thumbnail, at page 6, ¶ 0045.

Therefore, it would have been obvious to one of ordinary skill in the art, having the

teachings of Barrus and Angiulo before him at the time the invention was made to modify the

thumbnail viewing system of Barrus to include the thumbnail editing dialog box of Angiulo in

order to obtain a dynamically updateable thumbnail viewing system that presents the user with

actionable options upon the selection of a thumbnail.

One would be motivated to make such a combination for the advantage of allowing the user to

edit certain aspects of a thumbnail, such as its size or position relative to other thumbnails in the

same gallery. See Angiulo, page 6, ¶ 0047.

86.   Claims 89 and 90 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Barrus and Nielsen (U.S. Patent 5,937,417).

87.   Regarding claim 89, Barrus has been shown to teach the display of dynamic objects for

tracking information of interest.

Barrus fails to explicitly teach at least one enhanced tooltip, wherein each tooltip is

accessible for display on the display device by selecting each dynamic object via the user

interface.

Nielsen teaches the use of tooltip windows on web pages, such as those used in the

multimedia messaging system of Barrus when the thumbnail has been expanded to the full

content. Nielsen further teaches the display of the tooltip upon the selection of an object on the

interface, taught as the display of a tooltip after a certain period of "mouse-over" time, at col. 4,

lines 44-53.

Therefore, it would have been obvious to one of ordinary skill in the art, having the

teachings of Barrus and Nielsen before him at the time of the invention to combine the

multimedia messaging system of Barrus with the tooltips of Nielsen to obtain a system wherein

tooltips may be displayed for dynamic objects of interest.

One would be motivated to make such a combination for the advantage of adding

additional information to an object without consuming additional space. See Nielsen, col. 1,

lines 29-31.

88.   Regarding claim 90, treating a tooltip as an object displayed by Barrus, it is obvious that

by using the nesting techniques of Barrus and the tooltip mechanism of Nielsen, one would be

able to create nested tooltips, wherein a child tooltip is available after the selection of parent
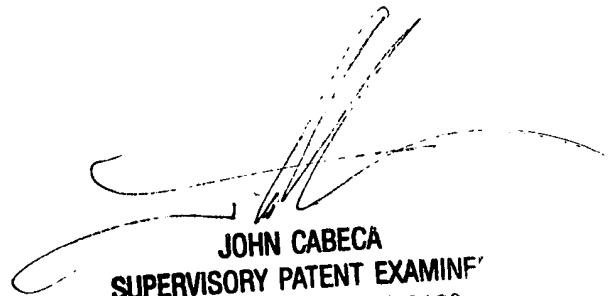
tooltip.

Conclusion

89.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure. The noted references disclose the state of the art as related to the application.

90.   Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Michael Roswell whose telephone number is (703) 305-5914. The

examiner can normally be reached on 8:30 - 6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

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PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Roswell
4/29/2004

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